

**REVISED
AGREEMENT
BETWEEN DSS &
PUBLIC HEALTH
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REVISED
MEMORANDUM OF AGREEMENT
between the
MICHIGAN DEPARTMENT OF SOCIAL SERVICES
and the
MICHIGAN DEPARTMENT OF PUBLIC HEALTH

This Agreement outlines responsibilities for both the Michigan Department of Public Health (DPH) and the Michigan Department of Social Services (DSS) in the resolution of complaints of abuse, neglect, or exploitation of adult patients or residents in facilities licensed by the Department of Public Health.

The following are adopted as policy and procedure standards for both Departments in accord with the provisions of 1978 P.A. 368, as amended, and 1982 P.A. 519 as amended.

1. DPH will have sole responsibility for investigating complaints of abuse, neglect, or exploitation of adult patients and residents insofar as these incidents allege violations of DPH rules and statutes by facility staff or nonstaff that occur in licensed health care facilities. Licensed health care facilities are nursing homes, hospitals, homes for the aged and free-standing surgical outpatient facilities.
2. DSS local office staff shall continue to be responsible for the investigation of complaints involving adult patients and residents of DPH licensed facilities if the alleged violation is not within DPH statutory authority or took place outside the facility in the community, e.g., exploitation of a hospital or nursing home patient's fiscal/property resources by a guardian or relative, abuse of a hospital or nursing home patient by a family member or other person while the patient is on a home visit, etc.
3. Both Departments will have an intake mechanism for receiving complaints.
4. DSS will advise all complainants who report alleged violations of DPH rules and statutes to submit a written complaint directly to the DPH. If DSS personnel and/or complainants feel that an adult patient or resident is seriously at risk, a telephone call will be made by the APS worker directly to the DPH Complaint Unit in Lansing 1-800-882-6006.
5. DPH will make referrals for services to the local office DSS in the county where the licensed health care facility is located whenever other social services are needed.

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6. DPH will provide feedback to the local DSS office on all individual written complaint referrals from DSS upon completion of the DPH investigation, and DSS will provide feedback to DPH on all referrals from DPH.
7. Since DSS provides after hours Adult Protective Services coverage, there may be occasions when complaints of abuse, neglect, or exploitation arising in DPH facilities are reported to on-call DSS staff after normal working hours, on weekends, or holidays. Such incidents will be referred to DPH on the next working day. However in emergency, life-threatening situations, DSS staff will provide APS services, but not investigation activities, as necessary to resolve the immediate problem.
8. Either Department may refer appropriate complaints to the Health Care Fraud Division, Department of Attorney General, for investigation of incidents involving alleged abuse, neglect, or exploitation.
9. DPH/DSS will share activity reports at least annually, informing each other of abuse and neglect investigation activities in accordance with the Public Health Code, Section 21771(2), and 1982, P.A. 519.

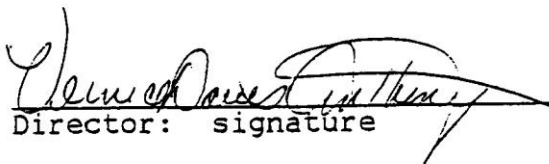
This Agreement takes effect the day it is signed by both directors. It will be reviewed at least annually, and changes adopted when both parties agree.



Director: signature

6/1/94

Date



Director: signature

6/2/94

Date